

Remarks

Applicants respectfully request reconsideration of this application, as amended, and consideration of the following remarks.

Amendments**Amendments to the Claims**

Applicants have amended the claims and have canceled claims to more particularly point out what Applicants regard as the invention. No new matter has been added as a result of these amendments.

Rejections Under 35 U.S. C. § 102(b)

Applicant respectfully traverses the rejection. In an effort to advance prosecution, however, Applicant has amended claim 21 to recite that the cutting member is slidably disposed within the shaft of the device. Van Ess does not teach or suggest the current invention.

With regard to Van Ess, there is shown and described a surgical cutter, wherein the cutter comprises an inner slidable tube and an outer tube, a blade is affixed to the outer tube, wherein the inner tube slides relative to the fixed blade.

Van Ess, therefore, only discloses a surgical cutter using a fixed blade.

Applicant submits that Claim 21 as amended is allowable over Van Ess as amended for the reasons above.

Summary

Applicants believe that the above amendments place the application in condition for allowance and therefore respectfully request that the claim rejections be withdrawn and the application advanced to allowance.

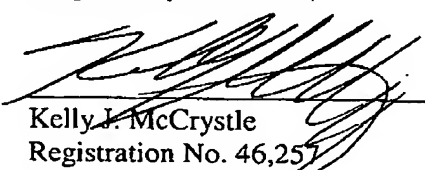
If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Kelly J. McCrystle at (650)-474-3326.

Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 01-0025 for any charges that may be due or credit out account for any overpayment. Furthermore, if an extension is required, then Applicants hereby request such extension.

Respectfully submitted,

Abbott Laboratories
Telephone (847) 938-5386
Facsimile (847) 938-2623
Direct Telephone inquiries to:
Kelly McCrystle
(650) 474-3326


Kelly J. McCrystle
Registration No. 46,257
Attorney for Applicants.